



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
445 12th STREET S.W.  
WASHINGTON D.C. 20554

News media information 202-418-0500

Fax-On-Demand 202-418-2830; Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)

TTY (202) 418-2555

Report No. TEL-00877NS

Friday January 28, 2005

## NON STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING

### Section 214 Applications (47 C.F.R. § 63.18); Cable Landing License Applications (47 C.F.R. § 1.767); Authorize Switched Services over Private Lines (47 C.F.R. § 63.16) and Section 310(b)(4)

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. No application listed below shall be granted by the Commission earlier than the day after the date specified in this public notice for the filing of comments.

Unless otherwise specified, ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

ISP-PDR-20050107-00001 P

Teligent, Inc.

Petition for Declaratory Ruling

Teligent, Inc. ("Teligent" or the "Petitioner") requests a declaratory ruling that the Commission find permissible the indirect foreign ownership of Teligent in excess of the 34 percent amount previously approved by the Commission under Section 310(b)(4) of the Communications Act of 1934, as amended. See Public Notice, DA 04-1534 (rel. May 27, 2004). Specifically, the Petitioner requests a declaratory ruling approving a 45 percent indirect foreign ownership in Teligent (including up to 35 percent indirect ownership by Aspen Offshore, Ltd., a corporation organized under the laws of the Cayman Islands).

According to the Petition, Aspen Partners - Series A, a Delaware limited partnership, holds 97.19 percent of the shares in Teligent. The Petitioner states that the following foreign investors will hold ownership interests directly in Aspen Partners - Series A: (1) Aspen Offshore, Ltd. ("Aspen Offshore"), a company organized under the laws of the Cayman Islands (35 percent interest), (2) an unnamed Canadian entity (.07 percent interest), (3) various unnamed entities from the Cayman Islands (9.7 percent aggregate interest); and (4) an unnamed entity from the Netherlands (.09 percent interest). The total of these foreign interests is 44.86 percent.

The Petitioner asserts that Aspen Offshore has its principal place of business in the United States or the Cayman Islands, a territory of the United Kingdom (a member of the World Trade Organization). Therefore, pursuant to the rules and policies established by the Commission's Foreign Participation Order, 12 FCC Rcd 18158 (2000), the Petitioner asserts that the indirect foreign ownership of Teligent in excess of the 25 percent benchmark in Section 310(b)(4) of the Act is consistent with the public interest.

**REMINDER:**

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–.2003.

An updated version of Section 63.09-.25 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/pd/pf/telecomrules.html>